**B.A.LLB**

**2nd Semester**

**English – II**

**(English and Legal Language)**

**Paper I [Code – BLB 201C] Max Marks = 100**

**Time Duration: 3 Hours Theory = 80**

**Continuous Assessment = 20**

**Note:** The subject includes a comprehensive and up to date study of various aspects of Legal Language. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Objective:** *The objective of this paper is to introduce the connection between English language and Law. It will also help the student to develop his/her writing skills, particularly in relation to legal terminology.*

**Unit – I**

1. Legal Language – Meaning.
2. Nature and Scope of Legal Language.
3. Legal Language in Jammu and Kashmir.

**Unit - II**

1. Reading Skills: Skimming, Scanning, Intensive and Extensive Reading.
2. Making Precis of a Long Text (Preferably Related to Law).
3. Reading, Comprehending and Answering Questions Based on Unseen Legal Texts.

**Unit-III**

1. Techniques of Oral Communication/Presentation.
2. Effective Oral Communication using Audio-Visual Aids.
3. Use of Modal Verbs.

**Unit-IV**

1. Translation and Transliteration: Theory
2. Translating an Urdu text into English
3. Translating English into Urdu: Problems and Solutions.

**Unit-V**

1. Legal Essays.
   1. Cyber Crimes.
   2. Right to Information.
   3. Indian Judiciary.
   4. Women Empowerment.
   5. Consumer Protection.
   6. Panchayti Raj.
   7. Democracy.
   8. Secularism.
   9. Globalization
   10. Nationalization
   11. Environmental Protection
   12. Child Rights
2. Legal Maxims.
   1. Audi Alterm Partem.
   2. Delegatus Nonn Potest Delegare.
   3. Res Ipsa Lioquitur.
   4. Actus Non Facet Reum Nisi Sit Rea.
   5. Ignoratia fact Excusat Ignorantisa Juris Non Execusat.
   6. Actio Personal is Moritur Cum Persona.
3. Legal Terms.
   1. Amicus Curie.
   2. Forfeiture.
   3. Habeas Corpus.
   4. Impeachment.
   5. Infanticide.
   6. Judgment Debtor.
   7. Jurisprudence.
   8. Laches.
   9. Mandamus
   10. Injuction
   11. Moratorium.
   12. Privilege of Witness.
   13. Prosecution.
   14. Punishment.
   15. Preponderance of Probabilities.
4. Legal Terminology in Urdu.

**Recommended** **Readings**

1. Francoise Grellett, Developing Reading Skills (Cambridge University Press).
2. Mohammad Aslam, Teaching of English for B.Ed Students (Foundation Books).
3. Any Book or Official Document that Talks about Urdu in J&K.
4. MK Gandhi, The Law and the Lawyers (Navjivan Publications, Ahmedabad).
5. Ishtiaque Abidi, Law and Language (University Publishers, Aligarh).
6. Raymond Murphy, Murphy’s English Grammar (3rd ed.) with CD (Cambridge University Press).
7. G.M.D. Babas, Fundamentals of Legal Learning & Patwar Record Formation (Urdu) 2005.

**Economics-II**

**Paper II [Code – BLB 202C] Max.** **Marks** **=** **100**

**Time Duration: 3 Hours.** **Theory** **=** **80**

**Continuous** **Assessment** **=** **20**

**Note:** The subject includes a comprehensive and up to date study of various aspects of Economics. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Objective:** *This course is designed to provide basic understanding of the various concepts of money and banking along with understanding of public finance. It also sensitises the students about various aspects of international economics and trade.*

**UNIT-I: Money and Banking**

1. Money and functions of money.
2. Commercial Banks and its functions.
3. Central Bank and its functions.

**UNIT-II: Public Finance-I**

1. Public Finance: Introduction, Budget: Types of Budget.
2. classification of Taxation.
3. canons of taxation.

**UNIT-III: Public Finance-II**

1. Public Expenditure: Meaning and Classification.
2. Canons of Public Expenditure.
3. Monetary and Fiscal Policy.

**UNIT-IV: Inflation and business Cycles**

1. Inflation: Concept, Causes and Consequences.
2. Deflation: Concept, Causes and Consequences.
3. Business Cycle: Concept and Phases.

**UNIT-V: International Trade**

1. Basis of International Trade. theories of International Trade: Comparative Costs and absolute Advantage.
2. Foreign Exchange Market: Structure and Functions.
3. GATT & WTO: Functions and agreements.

**Recommended Readings**

1. D. M. Mithani (2007): International Economics, Himalaya Publishing House.
2. M.L. Seth (2000): Money, Banking, International Trade and Public Finance, Lakshmi Narayan Aggarwal Publisher.
3. Musgrave and Musgrave (2011): Public Finance in Theory and Practice (McGraw Hill Peggv B. Musgrave Editions).
4. T.N Hajela (2010): Public Finance, Ane Books Pvt. Ltd.
5. Miltiades Chacholiades (1990): international economics, McGRAW- HILL PUBLISHING COMPANY.

**History – II**

**(Legal History)**

**Paper III [Code – BLB 203C] Max Marks = 100**

**Time Duration: 3 Hours Theory = 80**

**Continuous Assessment = 20**

**Note:** The subject includes a comprehensive and up to date study of various aspects of legal history. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Objective**: *The course focuses on the development of Indian legal system under the British rule.*

**Unit-I**

1. Administration of Justice in Bombay, Madras and Calcutta.
   1. Emergence of the East India Company: Development of Authority under Charters.
   2. Trading Body to a Territorial Power: Subsequent Charters.
   3. Administration of Justice in Madras from 1639 to 1726.
   4. Administration of Justice in Bombay 1668-1726.
   5. Administration of Justice in Calcutta 1619-1726.
2. The Mayors Court.
   1. Genesis of the Charter of 1726.
   2. Provisions of the Charter.
   3. Working of Judicial System.
   4. Charter of 1753.
   5. Defects of Judicial Systems.

**Unit II** **- Adalat System**

1. Grant of Diwani.
2. Execution Diwani Function.
3. Judicial Plan of 1772.
4. Defects of the plan
5. New Plan of 1774.
6. Reorganization of adalats in 1780.
7. Reforms of 1781.
8. The first civil code.
9. Reforms in the administrations of Criminal Justice.

**Unit - III**

1. The Regulating Act 1773.
2. Charter of 1774 and the Supreme Court of Calcutta.
3. Some Land Mark Cases.
   1. Trial of Raj Nandkumar (1775).
   2. The Patna case (1777-79).
   3. The Cossijurah case (1779-80)
4. Act of settlement 1781 including its Major Defects.
5. Supreme Courts at Calcutta, Madras and Bombay and their Working.

**Unit IV- Process of Codification in India**

1. The Charter Act of 1833.
2. The First Law Commission.
3. The Second Law Commission.
4. The Third Law Commission.
5. The Fourth Law Commission.

**Unit - V**

1. Establishment of the High Courts including the Indian High Court Act 1861.
2. The Federal Court of India.
   1. Foundation of the Federal Court.
   2. Jurisdiction.
   3. Authority of Law.
   4. Expansion of Jurisdiction.
   5. Abolition of the Federal Court

**Recommended Readings**

1. M.P. Jain, Outlines of Indian Legal History, Wadhwa & Co, Nagpur.
2. V.D. Kulshrehtha and V.M. Gandhi, Landmarks of Indian Legal and Constitutional History,Eastern Book Company, Kurukshetra
3. M.P. Singh, Outlines of Indian Legal History, Universal Law Publishing Co.
4. H.L.O. Garren & Abdul Hamid, A Constitutional History of India, 1600-1935. London
5. Radha Kumar, The History of Doing: An Illustrated Account of Movements for Women’s Rights and Feminism in India, 1800-1990, Zubaan.
6. Granville Austin, The Making of Indian Constitution, OUP.
7. Ania Loomba, Colonialism/Postcolonialism, Routledge.
8. David Ludden, India and South Asia: A Short History (Including Bangladesh, Bhutan, Nepal, Pakistan and Sri Lanka), Oxford: One World Publications, UK.
9. Ramachandra Guha, India after Gandhi: The History of the World’s Largest Democracy, Macmillan, 2007.
10. Bipan Chandra, Mridula & Aditya Muherjee, India Since Independence, Penguin.

**Political Science-II**

**Paper IV [Code – BLB 204C] Max.** **Marks** **=** **100**

**Time Duration: 3 Hours Theory** **=** **80**

**Continuous** **Assessment** **=** **20**

**Note:** The subject includes a comprehensive and up to date study of various aspects of Political Science. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Objective:** *The object of this paper is to sensitize the students about the various political thoughts.*

**Unit I - Plato**

1. Concept of Ideal State.
2. Justice.
3. Communism.

**Unit II - Aristotle**

1. Concept of Revolution.
2. Views on Slavery.

**Unit III - Machiavelli**

1. Views on State Craft.
2. Views on Relationship between Ethics and Politics.

**Unit IV - Hobbes**

1. Views on the State of Nature.
2. Views on Social Contract.

**Unit V - Locke, Rosseau and Bentham**

1. Locke’s Concept of Natural Rights.
2. Rosseau’s State of Nature.
3. Bentham’s Utilitarianism.

**Recommended Readings**

1. George E. Sabine, A History of Political Thought.
2. Earnest Barker, Political Thought of Plato and Aristotle.
3. J.P. Suda, History of Political Thought.
4. Brain R. Nelson, Western Political Thought from Socrates to the Age of Ideology.

**Law of Crimes-II**

**(Specific Offences)**

**Paper V [Code – BLB 205C] Max.** **Marks** **=** **100**

**Time Duration: 3 Hours Theory** **=** **80**

**Continuous** **Assessment** **=** **20**

**Note:** The subject includes a comprehensive and up to date study of various aspects of law of crimes. The question paper shall be of 100 marks, spread over the whole syllabus, comprising of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit, carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 7 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 question, one from each unit, carrying 15 marks each. The students shall have to answer 3 questions from this section. 30 percent of the questions will be problem based.

**Objective**: The object of this paper is to introduce the students to various forms of offences/crimes as have been defined and provided in the Indian Penal Code, 1860.

**Unit I - Specific Offences against Human Body**

* 1. Causing Death of Human Beings.
  2. Culpable Homicide and Murder.
  3. Distinction between Culpable Homicide and Murder.
  4. Situations Justifying Treating Murder as Culpable Homicide Not Amounting to Murder:
     1. Grave and sudden provocation
     2. Exceeding right to private defence
     3. Public servant exceeding legitimate use of force,
     4. Death in sudden fight,
     5. Death caused by consent of deceased
  5. Death Caused of a Person other than the Person Intended.
  6. Death Due to Rash and Negligent Act.
  7. Dowry Death and Cruelty by Husband and his Relatives.

**Unit - II**

1. Hurt and Grievous Hurt: Sections 319-326 including 326A, 326B and 326C of IPC
2. Wrongful Restraint and Wrongful Confinement: Sections 339-343 IPC.
3. Kidnapping and Abduction: Section 359-363 IPC.
4. Criminal Force and Assault: Section 349-352 IPC.

**Unit-III**

1. Obscenity – Sections 292-294 of IPC.
2. Bigamy – Sections 494 and 495 of IPC.
3. Adultery – Section 497 of IPC.
4. Rape

**Unit IV** **- Offences against Property**

Theft: Sections 378 & 379 of IPC.

Extortion: Sections 383 & 384 of IPC.

Robbery: Sections 390 & 392 of IPC.

Dacoity: Sections 391 & 395 of IPC.

**Unit-V**

1. Criminal Misappropriation and Criminal Breach of Trust: Sections 403 & 405 of IPC.
2. Cheating: Sections 415 - 417 of IPC.
3. Mischief: Sections 425 & 426 of IPC.
4. Forgery – Sections 463-465 of IPC.

**Recommended Readings**

1. P.S. Pillai, Criminal Law

2. R.C. Nigam, Law of Crimes in India.

3. K.D.Gaur, Cases and Materials on Criminal Law.

4 H.S. Gour, Penal Law of India.

5. S.N.Mishra, Indian Penal Code.

6. Annual Survey of the Indian Law Institute, New Delhi

**Law of Contract - I**

**(General Principles and Specific Relief)**

**Paper VI [Code – BLB 206C] Max. Marks = 100**

**Time Duration 3 Hours Theory = 80**

**Continuous Assessment = 20**

**Note:** The subject includes a comprehensive and up to date study of various aspects of Law of Contract. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section. 30 percent of the questions will be problem based.

**Objective:** *All the contractual obligations derive their validity from the Indian Contract Act, 1872 which provides raison –de-etre for its comprehensive study. This is a mother legislation and cornerstone of legal jurisprudence which has to be studied by all the law students, irrespective of their specialization. The object of this paper is to make the students to understand provisions of the contract act and its comparative study with English law on this subject and to orient the students about the practical applications of this subject.*

**Unit I - Formation of Contract**

1. Offer and Acceptance.
2. Promise or Set of Promises.
3. Communication of Offer.
4. Acceptance and Revocation when Complete.
5. General Offer vs. Specific Offer.
6. Modes of Communication of Offer/Acceptance.
7. Agreement and Contract
8. Offer and Invitation to Treat.
9. Counter Offer.
10. Acceptance and Revocation of Offer and Acceptance.

#### Unit II - Doctrine of Consideration and Capacity to Contract

1. Consideration.
2. Meaning and Scope.
3. Essential Elements of Consideration.
4. Past, Present and Executary Consideration.
5. Exceptions to Consideration.
6. Adequacy of Consideration.
7. Privity of Contract.
8. Capacity to contract
9. Definition of Minor.
10. Nature of Minor’s Agreement.
11. Liability for Necessaries Supplied to a Minor.
12. Doctrine of Restitution.

#### Unit III - Free Consent and Factors Vitiating it

1. Coercion.
2. Definition.
3. Essential Elements.
4. Duress and Coercion.
5. Effect of Coercion.
6. Undue Influence.
7. Definition.
8. Essential Elements.
9. Independent Advice.
10. Pardahanashin Women.
11. Unconscionable Bargains.
12. Effect of Undue Influence.
13. Misrepresentation.
14. Definition.
15. Misrepresentation of Law and of Fact.
16. Effects of Misrepresentation.
17. Fraud.
18. Definition.
19. Essential Elements.
20. Suggestio falsi-suppresio veri.
21. When does Silence amount to Fraud?
22. Active – Concealment of Truth.
23. Importance of Intention.
24. Mistake.
25. Definition.
26. Kinds.
27. Mistake of Law and of Fact.
28. Void Agreements.
29. Unlawful Consideration.
30. Void, Violable, Illegal and Unlawful Agreements and their Effects.
31. Agreements in Restraint of Trade and its Exceptions.
32. Agreement in Restraints of Legal Proceedings – its Exceptions.

#### Unit IV – Quasi Contracts and Discharge of Contract

1. Quasi Contract.
2. Meaning & Nature.
3. Theory of Unjust Enrichment
4. Theory of “Implied-in-Fact”.
5. Claim for Necessaries Supplied to Incapable Person (Section 68).
6. Reimbursement of Person Paying Money Due by another (Section 69).
7. Obligation of Person Enjoying Benefit of Non Gratuitous Act (Section 70).
8. Responsibility of Finder of Goods (Section 71).
9. Liability of Person to whom Money is Paid, or Thing is Delivered by Mistake or under Coercion (Section 72)
10. Discharge of Contract
    1. Supervening and Subsequent Impossibility.
11. Doctrine of Frustration.
12. Conditions, Force Majeure Clause in an Agreement.
13. Part Performance before the Impossibility.
14. Specific Grounds of Frustration.
    1. Termination by Breach.
15. Meaning and Kinds of Breach.
16. Actual and Anticipatory Breach.
17. Constructive Breach.
18. Remedies for Breach.
    * 1. Remedies Generally, Sections 73, 74, 75.
      2. Measure of Damages.

#### Unit V - Specific Performance and Specific Relief Act

1. Salient Features of Specific Relief Act.
2. Equitable Remedy through Injunction.
3. Temporary and Permanent Injunction.
4. Contract that can be Specifically Enforced.
5. Contract that cannot be Specifically Enforced.

## Recommended Readings

1. Mulla, Indian Contract Act.
2. R.K. Bangia, Indian Contract Act.
3. Desai, Indian Contract Act.
4. Anson, Law Contract.
5. Pollock and Mulla, Indian Contract and Special Relief Acts.
6. Beatsen (ed.), Anson’s Law of Contract (27th ed. 1998).
7. P.S. Atiya, Introduction to the Law of Contract (1992 Reprint).
8. Avtar Singh, Law of Contract (2000).
9. M.Krishnan Nair, Law of Contracts (1998).
10. G.H. Treitel, Law of Contract.
11. Anson, Law of Contracts (1998)
12. Dutt, Contract (2000)
13. Annual Survey of Indian Law Institute, ILI, New Delhi.